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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/671,008	09/27/2000	Akira Tsuneya	0941.64787	6639

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EXAMINER	
MCCARTHY, CHRISTOPHER S	
ART UNIT	PAPER NUMBER
2113	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/671,008	TSUNEYA ET AL.	
	Examiner	Art Unit	
	Christopher S. McCarthy	2113	

-- Th MAILING DATE of this communication appears on the cover sh et with th correspond nc address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/13/2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *13 December 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *response to arguments*.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Dev et al. U.S. Patent 5,559,955.

As per claim 1, Dev discloses an apparatus for monitoring devices connected to a network, comprising a relationship object maintaining part maintaining dependent information for each relationship between devices connected to the network, said dependent information being predetermined to indicate how one device influences another device when the one device causes a problem (column 2, lines 45-58; column 5, lines 40-56; column 6, lines 58-59; column 8, lines 44-50); an event table maintaining part maintaining device information, which identifies a device in the network, indicated by an event received from the device (column 2, lines 45-58; column 7, line 60 – column 8, line 8); an event collecting part collecting each event received from the devices and controlling the event table maintaining part to maintain the device information when the event indicates a problem (column 2, lines 45-58; column 7, line 60 – column 8, line 8); and a problem alarm notifying part determining, based on the dependent information maintained by the relationship object maintaining part, whether or not each of the devices identified by the device information maintained by the event table maintaining part

influences another device by the problem, and specifying which device is causing the problem in accordance with a result of the determination (column 8, lines 29-38).

As per claim 2, Dev discloses the apparatus as claimed in claim 1, wherein said dependent information is predefined for each of a first direction from said one device to said another device and a second direction from said another device to said one device by said dependent information between the devices (column 2, lines 35-58).

As per claim 3, Dev discloses the apparatus as claimed in claim 1, wherein: said device information maintained by said event table maintaining part includes a suppressing flag for suppressing said problem alarm notifying part from specifying that the device corresponding to said device information is causing the problem (column 10, line 54 – column 11, line 4); and said problem alarm notifying part determines whether or not the event table maintaining part is to maintain the device information of another event received from another device indicated by the dependent information corresponding to said event received from the device, and controls a suppressing flag based on the dependent information in accordance with a result of the determination, so that said problem alarm notifying part specifies which device is causing the problem (column 10, line 54 – column 11, line 4; column 8, lines 29-38).

As per claim 4, Dev discloses the apparatus as claimed in claim 1, wherein when the event received from the device indicates to change or add the dependent information, said event collecting part controls said relationship object maintaining part to change or add the dependent information in accordance with a predetermined rule for defining the dependent information based on the relationship between two types of the devices (column 4, lines 33-35; column 8, lines 51-64).

As per claim 5, Dev discloses the apparatus as claimed in claim 1, further comprising a management object maintaining part maintaining configuration information related to a configuration of each of the devices to be managed, wherein when the event received from the device indicates to change or add the configuration information, said event collecting part controls said management object maintaining part to change or add the configuration information indicated by the event, and controls said relationship object maintaining part to change or add the dependent information related to devices connected to the device that sent the event (column 4, lines 17-25, 33-35; column 8, lines 51-64).

As per claim 6, Dev discloses the apparatus as claimed in claim 1, further comprising a management object maintaining part maintaining configuration information related to a configuration of each of the devices to be managed (column 4, lines 17-25, 33-35); a management object displaying part representing each configuration information maintained by said management object maintaining part as a clickable image on a display unit (column 12, lines 47-56); and a relationship displaying part displaying several selectable types of the dependent information to define the dependent information between the devices corresponding to the clickable images when at least two clickable images are clicked (column 12, line 47 – column 13, line 31), wherein the dependent information defined by said relationship displaying part is maintained by said relationship object maintaining part (column 2, lines 45-58).

As per claim 7, Dev discloses a method for managing a network, comprising the steps of: (a) maintaining dependent information for each relationship between devices connected to the network, said dependent information being predetermined to indicate how one device influences another device when the one device causes a problem (column 2, lines 45-58); (b) maintaining

device information, which identifies a device in the network, indicated by an event received from the device (column 2, lines 45-58; column 7, line 60 – column 8, line 8); (c) collecting each event received from the devices and executing the step (b) to maintain the device information when the event indicates a problem (column 2, lines 45-58; column 7, line 60 – column 8, line 8); and (d) determining, based on the dependent information maintained in the step (a), whether or not each of the devices identified by the device information maintained in the step (b) influences another device by the problem, and specifying which device is causing the problem in accordance with a result of the determination (column 8, lines 29-38).

As per claim 8, Dev discloses the method as claimed in claim 7, wherein said dependent information is predefined for each of a first direction from said one device to said another device and from a second direction said another device to said one device by dependent information between the devices (column 2, lines 35-58).

As per claim 9, Dev discloses the method as claimed in claim 7, wherein said device information maintained in said step (b) includes a suppressing flag for suppressing from specifying that the device corresponding to said device information is causing the problem (column 10, line 54 – column 11, line 4); and said step (d) determines whether or not the device information of another event, which is received from another device indicated by the dependent information corresponding to said event received from the device, is to be maintained in the step (b), and controls said suppressing flag based on the dependent information in accordance with a result of the determination, so that said step (d) specifies which device is causing the problem (column 10, line 54 – column 11, line 4; column 8, lines 29-38).

As per claim 10, Dev discloses the method as claimed in claim 7, wherein when the event received from the device indicates to change or add the dependent information, said step (c) executes said (a) to change or add the dependent information in accordance with a predetermined rule for defining the dependent information based on the relationship between two types of the devices (column 4, lines 33-35; column 8, lines 51-64).

As per claim 11, Dev discloses the method as claimed in claim 7, further comprising a step of (e) maintaining configuration information related to a configuration of each of the devices to be managed, wherein when the event received from the device indicates to change or add the configuration information, said step (c) executes said step (e) to change or add the configuration information indicated by the event, and executes said step (a) to change or add the dependent information related to devices connected to the device that sent the event (column 4, lines 33-35, 17-25; column 8, lines 51-64).

As per claim 12, Dev discloses the method as claimed in claim 7, further comprising steps of (e) maintaining configuration information related to a configuration of each of the devices to be managed (column 4, lines 17-25; column 4, lines 33-35); (f) representing each configuration information maintained in said step (e) as a clickable image on a display unit (column 12, lines 47-56); and (g) displaying several selectable types of the dependent information to define the dependent information between the devices corresponding to the clickable images when at least two clickable images are clicked (column 12, line 47 – column 13, line 31), wherein the dependent information defined in said step (g) is maintained in said step (a).

As per claim 13, Dev discloses a computer-readable recording medium having a program recorded thereon for causing a computer to manage a network, comprising the codes of: (a) maintaining dependent information for each relationship between devices connected to the network, said dependent information being predetermined to indicate how one device influences another device when the one device causes a problem (column 4, lines 17-25, 33-35); (b) maintaining device information, which identifies a device in the network, indicated by an event received from the device (column 12, lines 47-56); (c) collecting each event received from the devices and executing the code (b) to maintain the device information when the event indicates a problem (column 12, line 47 – column 13, line 13); and (d) determining, based on the dependent information maintained by the code (a), whether or not each of the devices identified by the device information maintained by the code (b) influences another device by the problem, and specifying which device is causing the problem in accordance with a result of the determination (column 2, lines 45-58).

As per claim 14, Dev discloses the computer-readable recording medium as claimed in claim 13, wherein said dependent information is predefined for each of a first direction from said one device to said another device and from a second direction said another device to said one device by dependent information between the devices (column 2, lines 35-58).

As per claim 15, Dev discloses the computer-readable recording medium as claimed in claim 13, wherein said device information maintained by said code (b) includes a suppressing flag for suppressing from specifying that the device corresponding to said device information is causing the problem (column 10, line 54 – column 11, line 4); and said code (d) determines whether or not the device information of another event, which is received from another device

indicated by the dependent information corresponding to said event received from the device, is to be maintained by the code (b), and controls said suppressing flag based on the dependent information in accordance with a result of the determination, so that said code (d) specifies which device is causing the problem (column 10, line 54 – column 11, line 4; column 8, lines 29-38).

As per claim 16, Dev discloses the computer-readable recording medium as claimed in claim 13, wherein when the event received from the device indicates to change or add the dependent information, said code (c) executes said (a) to change or add the dependent information in accordance with a predetermined rule for defining the dependent information based on the relationship between two types of the devices (column 4, lines 33-35; column 8, lines 51-64).

As per claim 17, Dev discloses the computer-readable recording medium as claimed in claim 13, further comprising the code of (e) maintaining configuration information related to a configuration of each of the devices to be managed, wherein when the event received from the device indicates to change or add the configuration information, said code (c) executes said code (e) to change or add the configuration information indicated by the event, and executes said code (a) to change or add the dependent information related to devices connected to the device that sent the event (column 4, lines 17-25, 33-35; column 8, lines 51-64).

As per claim 18, Dev discloses the computer-readable recording medium as claimed in claim 13, further comprising the codes of: (e) maintaining configuration information related to a configuration of each of the devices to be managed (column 4, lines 17-25, 33-35); (f) representing each configuration information maintained by said code (e) as a clickable image on

a display unit (column 12, lines 47-56); and (g) displaying several selectable types of the dependent information to define the dependent information between the devices corresponding to the clickable images when at least two clickable images are clicked (column 12, line 47 – column 13, line 13), wherein the dependent information defined by said code (g) is maintained by said code (a) (column 2, lines 45-58).

Response to Arguments

3. Applicant's arguments filed 12/13/2004 have been fully considered but they are not persuasive.

The applicant has amended the claims to include the dependent information being predetermined to indicate how one device influences another device when the one device has a problem. The applicant argues that this predetermination of dependent information is not disclosed or suggested in the reference of Dev. The examiner respectfully disagrees. While the Dev reference does use inference, as claimed by the applicant, to find the actual faulty device, the management system of Dev does use predetermined information to indicate adjacent devices and how they may be or are affected when the device has failed.

In column 5, lines 40-56; column 6, lines 58-59; and column 8, lines 44-50, Dev teaches the use of connection relationships between the devices as being predetermined. That is, each device is set up to indicate which other devices are connected and, furthermore, which devices are directly adjacent to it (column 10, line 62 – column 11, line 1). Dev uses this connection relationship data into consideration when polling adjacent devices to the faulty device.

Predetermined dependent information is used to indicate how other devices can or are affected when the devices fails.

Furthermore, Dev teaches wherein the failed device could be a bridge device and since it is predetermined that there are connected devices to the bridge, then those devices are inherently affected due to the nature of a bridge device (column 11, lines 61-65).

In light of the above arguments, the amended claims remain rejected.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. McCarthy whose telephone number is (571)272-3651. The examiner can normally be reached on M-F, 9 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571)272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csm
January 5, 2005

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